

KILPATRICK TOWNSEND & STOCKTON LLP
JONATHAN W. THOMAS (*Pro Hac Vice* submitted)
jwthomas@ktslaw.com
The Grace Building
1114 Avenue of the Americas
New York, NY 10036
Telephone: 212-775-8700
Facsimile: 212-775-8800

DANIEL E. GAITAN (CA Bar No. 326413)
dgaitan@ktslaw.com
1801 Century Park East Suite 2300
Los Angeles, CA 90067
Telephone: 310-248-3830
Facsimile: 310-860-0363

Attorneys for all Defendants

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

TRADER JOE'S COMPANY, a
California corporation,

Plaintiff,

v.

JOEMART LTD D/B/A TRADER
JOE, a corporation of the British Virgin
Islands; SOJ TRADING LTD D/B/A
JOEPEGS, a corporation of the British
Virgin Islands; CHENG CHIEH LIU,
an individual; and DOES 1-10,

Defendants.

Case No. 2:23-cv-08395-CBM (KSx)
Judge: Hon. Consuelo B. Marshall

**[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION TO
DISMISS COMPLAINT PURSUANT
TO FEDERAL RULE OF CIVIL
PROCEDURE 12(B)(6) AND
GRANTING DEFENDANTS'
REQUEST FOR JUDICIAL NOTICE**

Date: February 27, 2024
Time: 10:00 am P.T.
Courtroom.: 8D

Complaint Filed: October 5, 2023

1 Before the Court is the Motion to Dismiss Plaintiffs Trade Joe's Company's
2 ("Plaintiffs") Complaint (Dkt. 1), pursuant to Rule 12(b)(6) of the Federal Rules of
3 Civil Procedure, filed by Defendant Joemart Ltd, Defendant SOJ Trading Ltd, and
4 Defendant Cheng Chieh Liu (collectively, "Defendants"). Defendants seeks dismissal
5 of Plaintiff's Complaint, in its entirety, without leave to amend.

6 After reviewing the moving, opposition, and reply papers, and after performing
7 a detailed review of the law on exhaustion of administrative remedies, it is hereby
8 ordered:

9
10 1. Defendants' Request for Judicial Notice is **GRANTED**.

11
12 2. Defendants' Motion to Dismiss is hereby **GRANTED**. Plaintiff's Complaint
13 is dismissed in its entirety, with prejudice, for failure to state a claim upon
14 which relief can be granted.

15
16
17 DATED:

HON. CONSUELO B. MARSHALL